

Vermont Human Rights Commission Newsletter

November / December 2017

Oh how the mighty fall. In the wake of the #MeToo campaign, over 100 prominent men have been forced to resign positions in industry, entertainment, and sadly in our legislative and judicial branches. Like issues related to race, issues of sexual harassment have not received the attention they deserve. It took a simple social media and a Women's March to reinvigorate a women's movement. Social media action groups like Ultra Violet and March On are bringing women's voices into the political realm and increased the number of women running for office and becoming otherwise politically involved. This is good news for our democracy.

-Karen Richards

"In all societies, both women and men are powerfully conditioned to repress the daily realities (of sexual harassment and workplace glass ceilings) and to collude with the rest of society in keeping these dimensions of shared experiences hidden."

- William Keepin



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Did you know?

The #MeToo movement originated from <u>Tarana Burke</u>, founder of the nonprofit organization, <u>Just Be, Inc.</u>

Through social media, on October 15, 2017 actress Alyssa Milano encouraged women who have been sexually harassed or assaulted to use #MeToo as their (social media) status to bring a 'sense of the magnitude of the problem.'

According to an ABC News-Washington Post poll: 54% of American women experienced "unwanted and inappropriate sexual advances" in their lives; 30% having experienced sexual harassment from male colleagues with 25% from men with influence over their careers.

According to the Governor's Commission on Women's Sexual Harassment In The Workplace Guide, the Vermont Attorney General's office reported settlements and judgments against private employers exceeding \$100,000.

In 2016 the EEOC released a study of Harassment In The Workplace finding that 75% of workplace harassment victims experience retaliation after reporting sexual harassment.

In 1994, the <u>U.S. Merit Systems</u>

<u>Protection Board</u> estimated that as a result of sexual harassment of federal employees, job turnover cost \$27.7 million, sick leave \$14.9 million, decreased individual productivity \$93.7 million, and decreased workgroup productivity \$193.8 million totaling a cost of \$327.1 million to the federal government.

The EEOC first legally defined sexual harassment in 1980. It said "unwelcome sexual advances or sexualized conduct that affected an individual's work" were grounds for complaint.



According to the Daily Beast, since the New York Times first reported allegations of sexual harassment against movie producer, Harvey Weinstein on October 5, 2017, ninety-seven powerful, high profile men and one woman have been "taken down" by the #MeToo Movement.

On October 24, 2017 the CBS news network <u>reported</u> that #MeToo reached 85 countries through social media resulting in 1.7 million tweets with the hashtag. Interestingly, The Telegraph <u>reported</u> that 300,000 of the hashtags were men. The CBS report goes on to further explain that this movement was originally created by <u>Tarana Burke</u> in 2007 as a "catchphrase to be used from survivor to survivor to let folks know that they were not alone and that a movement for radical healing was happening and possible."

Sadly, one of the main reasons that women fail to come forward with complaints is that most end up not being believed, retaliated against or marginalized as a result. This new focus, and the seriousness with which businesses are taking the allegations, will continue to embolden women to come forward and complain in their own workplaces.

Disturbingly on December 19, 2017 NBC news <u>reported</u> that the U.S. Congressional Complaint Office is now 'Stonewalling' on the release of sexual harassment data thus ultimately denying us all the right to know the magnitude of sexual harassment complaints made by Congressional staff or the amount of taxpayer dollars that has been spent to settle or defend the claims.

This movement continues to empower women of all ages and all walks of life to speak out against their perpetrators. To tell their stories. To pull back the curtains that have shrouded their lives in darkness, secrecy and fear, some for many years, others with fresh wounds to heal. Whatever their story, they now know they are not alone, they will no longer be silenced and they certainly will no longer live in a world where sexual harassment and assault are tolerated.

To the men in power, these voices will not be silenced. The women of the world are boldly, clearly and courageously saying that they will no longer live dominated by you nor do they fear you as they undoubtedly now know that they no longer stand alone.

"If I were to remain silent, I'd be guilty of complicity." - Albert Einstein



The U.S. Equal Employment Opportunity Commission (<u>EEOC</u>) federal <u>42 U.S.C. §§2000e-17</u> and Vermont State laws V.S.A. <u>§495 (d)1</u>, <u>§495(d)13</u> and <u>§495(h)</u> both define sexual harassment in the workplace as a violation involving unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the sexual harassment explicitly or implicitly affects an individual's employment, unreasonably interferes with an individuals work performance, or creates an intimidating, hostile or offensive work environment.

Unfortunately, even though there are laws in place to protect victims of sexual harassment it still occurs at alarming rates as <u>reported</u> by the EEOC, with an additional estimate that eighty percent of people having experienced sexual harassment never file a formal complaint.

One common factor that collected data supports is the fact that the majority of those filing complaints are women. In fact, the EEOC reported that of 6,758 complaints of sexual harassment allegations received in 2016, only 16% were filed by men. It would seem tenable to agree that these numbers are so disproportionate due to the fact that workplace supervisory roles are overwhelmingly still controlled by men. Even though we would like to believe that we live in a world of equality in the twenty-first century, professor Jen-nifer Berdahl, who studies the harassment of men, explains "being a man means being superior to a woman and dominating women sexually or otherwise; sexual harassment is taking that (thinking) to an extreme." She further believes that from the age of 3 "men are socialized to think of themselves as 'a real man,' defined as dominating women."

Clearly traditional, mandated or voluntary sexual harassment training methods are not working and in fact, sociologist, <u>Justine Tinkler</u>, believes that traditional trainings "reinforce gender stereotypes" and "leave women feeling less confident and empowered in the workplace."

According to a New York Times <u>Article</u> some new and non-traditional ideas to prevent or stop workplace harassment include:

- Empowering the bystander
- Encourage Civility
- Train seriously and often
- Promote more women
- Encourage reporting



There is not much readily available, comprehensive data on sexual harassment kept by Vermont agencies and organizations. Maybe too many of us have little awareness or grow complacent in our thinking that things like sexual harassment don't happen here in 'our' state so we brush allegations aside, point fingers at 'other' state's handling of these matters while neglecting to notice what happens daily in our workplaces, schools, and within our state government.

Whatever the reason, whatever the thinking, sexual harassment is very much alive and well in Vermont. Some may be surprised to know that it remains an issue in the very house our appointed officials come to each year to make the laws set to protect us from these types of things.

Former state Senator Norm McAllister, who was accused of sexual assault and prostitution was removed from his state Senate seat, and found guilty of prostitution, he got no jail time. The message received by not only his accusers, but many women living in Vermont was that telling our stories makes no difference—'they' would somehow get away with it or convince others we 'wanted' or 'asked' for it.

More recently In April another member of the Vermont Senate was accused of sexual harassment but the details of the accusation and who was involved are being kept confidential by the <u>Vermont Senate's sexual harassment panel</u> based on the current rules and protocols for handling these types of complaints. This incident, with the still very fresh Norm McAllister 'blemish' is certainly gaining the attention of constituents and lawmakers alike. We must be able to trust our appointed officials to make and uphold these very important laws to protect the women in this state from unwanted sexual harassment and that requires a robust policy and more transparency than currently exists.

Thankfully it does seem that the attention, although perhaps not the kind wanted, has brought light to the topic of sexual harassment pushing lawmakers to address sexual harassment within our state systems and hopefully mandate intensive sexual harassment training for all appointed officials, heads of state agencies, departments, and commissions and all they lead. With more transparency and less secrecy, we can together put an end to sexual harassment.

"Not responding is a response—we are equally responsible for what we don't do." - Jonathan Safran Foer

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RESOURCES

Vermont Human Rights Commission (state employment)

U.S. Department of Labor Women's Bureau

Sovernor's Commission on Women

Vermont Attorney General's Office—Civil Rights Unit (private employment)

The Vermont Women's Fund

J.S. Equal Opportunity Commission (EEOC)

<u>Vermont Department of Human Resources</u> (state employees)

Vermont Network Against Domestic and Sexual Violence

Vermont Center for Crime Victim Services

Vermont Workers' Center